

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

March 16, 2021

1:31 p.m.

MEMBERS PRESENT

Senator Shelley Hughes, Vice Chair
Chair David Wilson via teleconference
Senator Mia Costello
Senator Lora Reinbold
Senator Tom Begich

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE JOINT RESOLUTION NO. 4

Proposing an amendment to the Constitution of the State of Alaska relating to abortion.

- HEARD & HELD

SENATE BILL NO. 93

"An Act relating to the establishment of an all-payer health claims database; and providing for an effective date."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: SJR 4

SHORT TITLE: CONST. AM: ABORTION/FUNDING

SPONSOR(s): SENATOR(s) HUGHES

01/22/21	(S)	PREFILE RELEASED 1/8/21
01/22/21	(S)	READ THE FIRST TIME - REFERRALS
01/22/21	(S)	HSS, JUD, FIN
03/16/21	(S)	HSS AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

LISA HART, Staff

Senator Shelley Hughes

Alaska State Legislature

POSITION STATEMENT: Introduced SJR 4 on behalf of the sponsor.

SANDRA DENTON, M.D., representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

LOREN LEMAN, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

KATIE BOTZ, representing self

Juneau, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

MORGAN LIM, Planned Parenthood Votes, Northwest and Hawaii

Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SJR 4.

MICHAEL THOMAS, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

WINDY PERKINS, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

ELEILIA PRESTON, representing self

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

KEITH HAMILTON, Ph.D., representing self

Soldotna, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

MARY ELIZABETH KEHRHAHAN-STARK, representing self

Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

KAREN BAKER, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

SHANNON NYE, representing self

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

KAREN LEWIS, Board of Directors
Pro Life Alaska
Wasilla, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

JANET KIDD, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

DORAN HICKMAN, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

LYNETTE PHAM, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

CHRISTINE ROBBINS, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

JULIE ENDLE, representing self
Palmer, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

CANDACE KALE, representing self
Denali, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

KELVIN ROGERS, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

XOCHITL LOPEZ, representing self
Homer, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

JOHN SOMIN, representing self
Douglas, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

PAMELA SAMASH, representing self
Nenana, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

CYNTHIA DUCEY, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

THERESA SYREM, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

TRACI SUNDBERG, representing self

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

CAROL CARMAN, representing self

Palmer, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

STEPHANIE TAYLOR, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

LISA GENTEMANN, representing self

Eagle River, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

HILARY HUNTER, representing self

Petersburg, Alaska

POSITION STATEMENT: Testified in opposition of SJR 4.

CANDY MILLER, representing self

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

SHERRY EICHENLAUB, representing self

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SJR 4.

ACTION NARRATIVE

[1:31:31 PM](#)

VICE CHAIR SHELLEY HUGHES called the Senate Health and Social Services Standing Committee meeting to order at 1:31 p.m. Present at the call to order were Senators Costello, Begich, Reinbold, Senator Wilson (via teleconference) and Vice Chair Hughes.

SJR 4-CONST. AM: ABORTION/FUNDING

[1:32:07 PM](#)

VICE CHAIR HUGHES announced the consideration of SENATE JOINT RESOLUTION NO. 4 Proposing an amendment to the Constitution of the State of Alaska relating to abortion. She stated her intent to hear an overview of the bill, sponsored by herself, and to listen to testimony.

VICE CHAIR HUGHES said that SJR 4 was heard last year. It proposes an amendment to restore to voters and their democratically elected representatives the power to set policy related to abortion. This authority was usurped in recent decades by a series of misguided state court decisions. In 1973, Roe vs. Wade ruled that there is an alleged right to abortion under the federal constitution. However, the U.S. Supreme Court has permitted states to put parameters around abortion. For example, states can require parental involvement before an abortion can be performed on a minor. The state can determine whether or not public funds can be used for abortion. A state can decide whether certain medical procedures related to abortion can be performed, such as partial birth abortion. But in Alaska, there have been a number of decisions (which she will review in the Judiciary Committee) made by legislators and voters, all overturned by the state courts. That began in 1997 when the Alaska Supreme Court declared that the judicially-manufactured right to abortion protects abortion more broadly, more broadly than the U.S. Constitution. As a result, the commonsense laws that Alaskans have adopted, which have stood the test of time in other states and have been upheld by federal courts, have been declared invalid in Alaska. The Alaskan rulings have been quite extreme.

VICE CHAIR HUGHES said that in Alaska today, a girl as young as 13 could have her boyfriend bring her to an abortion clinic and her parents would not know about it, much less have the right to consent. The only reason for this deplorable situation is that the Supreme Court demanded it. Alaska voters have said yes to parental involvement, and the legislature has supported parental involvement. All of Alaska's governors for the last 18 years have supported parental involvement, but because of the decision of four unelected judges on the Alaska Supreme Court, the rights of parents are not protected. It is an outrage that demands to be fixed. She wants to make it clear that this resolution does not set any policy on abortion specifically, but it answers the question of who will decide what the policy shall be--should it be judges or the people of Alaska. SJR 4 empowers elected officials or Alaskans directly through the initiative process to set policy on abortion that is consistent with Alaskan values. Other states have passed constitutional amendments that restore

or protect the authority of voters to determine abortion policy. It is time for Alaska to do the same.

VICE CHAIR HUGHES displayed slide 2 of the presentation on SJR 4. The slide showed part of the original Hippocratic oath, which said, "I will not give a woman a pessary to cause an abortion." That was removed in 1948.

VICE CHAIR HUGHES showed slide 2, about the first Declaration of Geneva, which "came in response to the grotesquely inhumane treatment of individuals in Nazi Germany, kept the pledge to... maintain the utmost respect for human life from the time of conception." Things have changed in recent decades with the 1973 U.S. Supreme Court ruling. She called her aide Lisa Hart to the table to continue the presentation about what has been happening around the country. SJR 4 will put Alaska on par with other states.

[1:38:20 PM](#)

LISA HART, Staff, Senator Shelley Hughes, Alaska State legislature, displayed a map on slide 4 of eight states that have minimal or no timing restrictions for abortion. State lawmakers across the country have used the legislative process to reflect the will of the voters.

MS. HART said that in 1973 the Supreme Court established that states could prohibit abortion after viability. Viability is determined on an individual state basis. The average is around 22-24 weeks. Twenty-four states have this law in place. Fourteen states, shown on slide 16, disallow abortion after 18-22 weeks.

VICE CHAIR HUGHES said that this is not a partisan conversation, but her office used maps that showed the balance of power in various states. The key on the map in blue is a Democratic trifecta, red is Republican, and gray represents a mix of Republican and Democratic.

[1:40:07 PM](#)

SENATOR BEGICH asked if it is not a partisan discussion, then why does the presentation use a partisan map.

VICE CHAIR HUGHES replied that the point is that the maps of these policies show the states are blue, red, and gray, so the mixture shows it is not partisan.

MS. HART showed the six states on slide 7 that have enacted legislation to disallow abortion after 6-8 weeks. This legislation is commonly known as a heartbeat bill.

MS. HART showed on slide 8 the states that have enacted legislation for parental involvement in the form of parental consent and notification.

MS. HART showed on slide 9 that 42 states have taken action with regard to abortion legislation. State-level legislation has allowed much needed debate about the roles of government. This has not been the case in Alaska. It has been not for lack of trying.

MS. HART displayed slide 10, What about Alaska, which made the following points:

The Alaska Supreme Court has determined that the state constitution provides a broader right to abortion than that interpreted in the U.S. Constitution.

Passing SJR 4 will allow common-sense abortion policies if we so choose - as permitted under the federal constitution.

It will allow elected officials -- or the people acting through the initiative process -- to determine the policies on abortion, instead of unelected justices on the Supreme Court.

MS. HART showed examples on slide 11-13 of abortion-related laws overturned in Alaska. The legislative process was followed, giving voice to the people of Alaska, but the courts legislated from the bench and struck down these laws. This is the reason the sponsor seeks to adopt this resolution, to prevent any further judicial overreach related to abortion in the state of Alaska.

MS. HART presented the sectional analysis for SJR 4:

Section 1 - Article I, Constitution of the State of Alaska, Page 1, Lines 3-7

Amends the Constitution of the State of Alaska by adding a new section, Section 26. Abortion. The amendment states that in order to protect human life, nothing in this constitution may be construed to secure or protect a right to an abortion or require the State to fund an abortion.

Section 2 - Article I, Constitution of the State of Alaska, Page 1, Lines 8-10

Adds that the amendment proposed by this resolution shall be placed before the voters of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws of the state.

VICE CHAIR HUGHES asked committee members to hold questions because invited testimony may address some of their concerns.

[1:45:14 PM](#)

SANDRA DENTON, M.D., representing self, Anchorage, Alaska, said she has practiced emergency room medicine for 13 years and for the last 35 years, she has been in alternative medicine. The court has manufactured the right to an abortion using the state constitution when it does not do that. Abortion is not stated in that area of the constitution. Parents should have a say in what is going on with their child and should be notified. The Alaskan voters themselves have been ignored, and policy rewritten by unelected officials. She took the Hippocratic Oath and wishes to follow it. At first she thought she was too busy to testify, but felt that if she did not speak out, then perhaps the blood of these human beings would be on her hands. She thanked Senator Hughes for bringing this to the forefront.

VICE CHAIR HUGHES said that she appreciated Dr. Denton taking the time to testify.

[1:48:12 PM](#)

LOREN LEMAN, representing self, Anchorage, Alaska, said that for 14 years he was in the legislature and served as lieutenant governor for four years. SJR 4 is an important step to restore to the legislature and the people of Alaska the ability to set policy on abortion. Sadly, that authority has been usurped for more than two decades by Alaska courts. For 24 years he has defended the rights of parents to be involved in the lives of their minor daughters. This effort has been disrupted by the misrepresentation of the state constitution, but he is not defeated and he is not giving up. In 1997, he sponsored SB 24 to enable the state to enforce a law that had been on the books since 1970 that required a doctor to obtain parental consent before performing an abortion on a girl under the age of 18. An opinion issued by Attorney General Av Gross later that decade said that law was unenforceable because of a U.S. Supreme Court ruling requiring that state parental involvement laws must allow

minors the alternative to seek a waiver in court. This is commonly known as a judicial bypass. So, for many years, the state ignored the parental consent provision. The bill he introduced added a judicial bypass in full compliance of the rulings of the U.S. Supreme Court.

[1:50:18 PM](#)

MR. LEMAN said that at the time, the court has most recently issued a nine-to-zero decision in a case from Montana, saying in effect not to send it any more of these cases because it had already told the states that it approves parental involvement statutes with these provisions. Even Justice Ruth Ginsburg agreed. SB 24 passed the legislature with supermajority support, enough to override a veto from Governor Tony Knowles. The Parental Consent Act was tied up in courts for ten long years. He was extremely disappointed when the Alaska Supreme Court in a 3-2 decision struck it down. The majority opinion, written by Justice Dana Fabe, said that a less restrictive law, such as only requiring notification of one parent with a bypass, would be acceptable. The bill to do this was introduced but did not advance through committee.

MR. LEMAN said that he joined with two other Alaskans, including Senator Costello, to sponsor a voter initiative for a law requiring notice for one parent. More than 56 percent approved ballot measure 2, so today he is speaking for more than 90,000 voters. Planned Parenthood challenged the law, but Superior Court Judge John Suddock upheld it. Shockingly, years later, four justices on the Alaska Supreme Court struck it down. They produced 64 pages of legal nonsense to justify their position. On any topic related to abortion, the decisions of the majority of Supreme Court justices are driven not by the law but by personal ideology. That is a problem. Legislators make public policy influenced by their values and life experiences. They earn that right by winning an election. Unelected judges never earn that right. When they exceed their authority, they deserve an aggressive response.

MR. LEMAN said that this resolution does not change abortion law. It restores to elected leaders and the people of Alaska their proper roles in setting abortion policy. When passed by the legislature and the voters of Alaska, it will invite considerably more discussion on what protections the people want for parents and their children. He hopes to participate in that discussion.

[1:54:16 PM](#)

SENATOR REINBOLD said that Mr. Leman's tenacity is incredible over the last decades. He sets a great example. In 2006 or 2007, she went before the Supreme Court during public testimony about parental rights and involvement regarding abortion. Nineteen people wanted parental involvement and one didn't, but Chief Justice Fabe did not listen to the people. She brings that memory to her role as the Judiciary chair, that complete disregard for parental rights. She became involved in the ballot initiative with the Family Council. The courts struck that down. She thanked Senator Hughes for bringing this forward. She is tired of judges setting policy from the bench.

1:56:50 PM

SENATOR COSTELLO noted the two sections on page 1, lines 5 and 6. One section says that nothing in the constitution may be construed to secure or protect a right to abortion. She asked if that is clarifying Article 1, the right to privacy and the right to equal protection. She asked if Vice Chair Hughes believes that if that had been in the constitution, that the cases she had referred to would have had different outcomes.

VICE CHAIR HUGHES replied that she does. Those are the things that have been used in the rulings.

SENATOR COSTELLO asked with the statement, "or require the state to fund an abortion" if the intention of the sponsor is to give the legislature and the governor the option to not have elective abortions funded in the Medicaid budget.

VICE CHAIR HUGHES answered if the legislature so chose, it would not allow public funds for abortion, so it could pertain to Medicaid. That is allowed under the federal constitution.

SENATOR COSTELLO shared that she had had a long conversation with a constituent today who asked whether the intention here is to weaken Roe vs. Wade.

VICE CHAIR HUGHES replied that this allows the people of Alaska to decide. The range of abortion policy could be leaving everything the way it is now to doing some things, such as reinstating parental notification and consent, to going all the way to no abortions. That would go to the Supreme Court as a challenge. If two-thirds of the house and senate decide that this will go on the ballot, the people will decide, but it does not change any abortion policy at this point. Decisions would be by the people through the voter initiative or legislatively. It could go up the ladder to the U.S. Supreme Court.

1:59:43 PM

VICE CHAIR HUGHES opened public testimony and imposed a two-minute time limit.

2:00:18 PM

KATIE BOTZ, representing self, Juneau, Alaska, said she is a supporter of SJR 4 because her biological parents kept her alive. Her parents already had a family in South Korea. She was an unexpected child. Her biological parents tried to take her home but after one week, she was hospitalized and her biological parents decided to put her up for adoption. She shares this story because her biological parents allowed her to live. If her life is still precious and still valuable, she asked then why everyone else's isn't.

VICE CHAIR HUGHES said there are passions about this topic on both sides of the issue. She asked that everyone be civil in their comments. She wants everyone to understand that this is not implementing a particular policy regarding abortion at this point. The passage of this resolution, if it voted in at the ballot box, in and of itself does not set any specific parameters. It would simply allow the people of Alaska to decide what policy they want in the future instead of allowing judges to make those decisions. She wanted to make sure everyone has the correct information when testifying.

2:05:26 PM

MORGAN LIM, Planned Parenthood Votes, Northwest and Hawaii, Juneau, Alaska, said Alaska is experiencing health crises on multiple fronts, including the ongoing pandemic, rising STIs (sexually transmitted infections), and structural racism. Instead of helping people get the health care they need, lawmakers are focusing on limiting rights and inserting government into personal, private healthcare decisions. This will impact those already experiencing barriers to reproductive healthcare in Alaska. These communities, especially American Indian and Alaska Native people, have endured a history of state-controlled reproductive coercion and denial of bodily autonomy. Banning abortion will continue this legacy. Alaska people do not want SJR 4. They want increased access to reproductive healthcare, including abortion. Alaskans know that access to abortion is critical to their health, the health of their families, and the stability of their communities. It is more important than ever that the Alaska Constitution protect the right to obtain or reject medical treatment without governmental interference in personal, private decisions.

[2:08:25 PM](#)

MICHAEL THOMAS, representing self, Anchorage, Alaska, said that so many issues have been brought up. What he hears is that a rogue court is in the state. His understanding is one person, one vote, and the court is making decisions for Alaskans. That is what this is addressing. People have to do something about the court. These are bad guys doing bad stuff.

[2:10:07 PM](#)

WINDY PERKINS, representing self, Anchorage, Alaska, said she supports this amendment to the constitution. She could not agree more with the prior caller. This pertains to so many issues. The state needs a balance in the governmental system. The beauty of a three-branch system is being violated. Her vote is being violated. In regard to abortion, as a young woman if she had found herself in a precarious situation and if she had been under bad influences, she could have terminated a pregnancy. She would need her parents' help that situation. It is evil that the court system has taken this beautiful family structure and twisted it so that people are vulnerable.

[2:12:11 PM](#)

ELEILIA PRESTON, representing self, Wasilla, Alaska, said she echoes the two before her. This is all about judges and their overreach. She has campaigned and worked hard to put people in office who deserve it, so those people can make laws, but that is undermined by what courts are doing.

[2:14:00 PM](#)

KEITH HAMILTON, Ph.D., representing self, Soldotna, Alaska, said that although he is on the State Board of Education, Professional Teaching Practices Commission, State Personnel Board, and the founding president of Alaska Christian College, he is representing himself. His birth mother was 17 and her parents wanted her to have an abortion but at that time abortion was illegal and he had the ability to be adopted. His story is told many times over many years. Every womb carries life that must be born. To kill a baby at any age is wrong. As a Christian, he understands the Bible to proclaim that every life is loved by God. He supports the constitutional change "to protect human life."

[2:15:57 PM](#)

MARY ELIZABETH KEHRHAHAN-STARK, representing self, Fairbanks, Alaska, said SJR 4 erodes the Alaska Constitution's privacy protection. SJR 4 is an example of what right-to-life supporters

and legislative body want so badly to accomplish, which is to abolish a woman's right to privacy in her thoughts and actions. By permanently changing the constitution, the legislature could decide citizens' rights and protection under law. The reality is that those most affected by this proposed amendment are the most vulnerable in the community. Most people who get abortions are single and poor. The result of this resolution would be to place a single woman in the largest group living in poverty in the United States. She is 64. At another point in her life she was young and poor and going to life to secure a better life for herself and community. She had to make this decision. It was the best decision of her life. She thanks God that abortion was safe and legal because she was not ready emotionally or financially to be a mother of a child. Each Alaskan, regardless of financial status, deserves the opportunity to control her own life at the most basic level.

VICE CHAIR HUGHES encouraged written testimony be sent to shss@akleg.gov.

2:20:15 PM

KAREN BAKER, representing self, Anchorage, Alaska, said that seeking to amend the constitution to ban abortion care is inappropriate and harmful. Using time and resources to try to limit access to necessary health care during a pandemic is irresponsible. Alaska is a nationwide leader in poor indicators of sexual and reproductive health with some of the highest rates of unintended pregnancies, STIs, intimate partner violence, and sexual assault. Lawmakers should be focusing on preventive health services. Alaskans need and deserve continued access to safe and legal abortion care. Nearly 80 percent of Alaska voters say they would have doubts about legislation that bans abortion care. When the courts overturn antiabortion legislation, they are not legislating from the bench. Striking down illegal legislation is part of the responsibility of the court. Continuing to defend illegal, harmful legislation is a waste of taxpayer money. Alaska has a stellar state constitution and does not need to mar it with these partisan attacks on healthcare.

2:21:54 PM

SHANNON NYE, representing self, Wasilla, Alaska, said that the Constitution states, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Life is an inalienable right. When there is a creation in a womb, it has a heartbeat.

[2:23:22 PM](#)

KAREN LEWIS, Board of Directors, Pro Life Alaska, Wasilla, Alaska, said that the people of Alaska have the right and duty to decide abortion policy, not activist judges who legislate from the bench. Alaskans are tired of that. People are talking about babies, not reproductive healthcare. It is a sanitized term for abortion, which is a barbaric act of murdering unborn babies.

[2:25:47 PM](#)

JANET KIDD, representing self, Fairbanks, Alaska, said this amendment would likely be voted down. Sixty-three percent of Alaskan recently have indicated that abortion should be legal in all or most cases. Alaskan has always prided itself on the provision for the right to privacy in the constitution. The amendment proposed by SJR 8 is fundamental departure from this long-standing provision. Women need to have access to abortion for a variety of reasons. These are personal decisions and the government should not have the right to affect that decision. The right to privacy does not start at 18. She is so grateful for the Alaska Supreme Court. They are considering the rights of all Alaskans.

[2:27:46 PM](#)

DORAN HICKMAN, representing self, Fairbanks, Alaska, said that a whole lot of factors are involved, economics, mental health, a woman's right to choose. People are not here to judge and are not placed on earth to condemn them.

[2:28:50 PM](#)

LYNETTE PHAM, representing self, Anchorage, Alaska, said this will pave the way to ban safe and legal abortion. In the past, forced sterilization of indigenous women without their consent was common. This amendment forces governmental control onto the bodies of indigenous brown and black people. It would make space for removing their rights without their consent and perpetuates forms of racism, colonization, and governmental control of bodies. Individual rights and freedoms go to the heart of who Alaska is at a state, including the right to access safe and legal abortion. Each person deserves the opportunity to control their life at the most basic level, their bodies, their families, and life paths.

[2:30:12 PM](#)

CHRISTINE ROBBINS, representing self, Fairbanks, Alaska, said SJR 4 puts the will of the people back in the hands of the

people. There is an imbalance and lack of decency on the part of activist judges who are acting outside the scope of their duties. This abuse of power must stop. The unconstitutional limitations that the Alaska Supreme Court has imposed on Alaskans by radical judges needs to be addressed. This does not limit rights. It gives people more. The rights of the baby, the parents, the individual, and the people as a whole are addressed. Abortion is never safe and 100 percent of the time results in a death. This is a responsible and humane step in the right direction.

2:31:41 PM

VICE CHAIR HUGHES noted that Senator Reinbold was listening by telephone.

2:31:53 PM

JULIE ENDLE, representing self, Palmer, Alaska, said that Alaskans should have a say in deciding the vote. That is why they vote. As a taxpayer, she does not want to fund abortions. It is wrong. A lot of people testified about the right to privacy. If they want a right to privacy, then they should fund it themselves and not put the burden on taxpayers. Alaska should have the right to vote and keep the Supreme Court judges out of it.

2:32:58 PM

CANDACE KALE, representing self, Denali, Alaska, said this is a radical bill that proposes to permanently change the state constitution, taking away individual rights and freedoms, which are the foundation of the country and a source of immense pride in the state of Alaska. This is all done in an attempt to take away rights and the ability to make decisions about people's bodies, whether or not to become a parent. SJR 4 is an attempt to bypass one branch of government, the courts, because the legislature is unhappy about the ruling. Rulings by the courts are a part of process. She has had an abortion and placed a baby for adoption. Those were her choices. They were right for her and no one else should have the right to make that decision for her.

2:34:24 PM

KELVIN ROGERS, representing self, Fairbanks, Alaska, said the courts are doing a great job of following the law and science. He does not trust the public to get it right on this. Sometimes the courts are ahead of public opinion, such as in Loving vs. Virginia in 1967. The public approval of interracial marriage didn't reach 50 percent until 1995. If this bill passes it will

be followed by zealous and unconstitutional restrictions, wasting more of the state's time and money fighting legal battles over a political wedge issue. For those who oppose abortion, they should fund sexual and birth control education, which would reduce instances of people seeking abortion.

[2:35:53 PM](#)

XOCHITL LOPEZ, representing self, Homer, Alaska, said this is a shameful attack on abortion access again. Abortion is protected by the U.S. Constitution, not "alleged" as Senator Hughes said earlier, and by the Alaska Constitution. It takes much energy from her to remind legislators that abortion is legal. Ms. Lopez continues to call into to these meetings to advocate for abortion access. If legislators care about Alaska parents, they should focus on lack of affordable housing, the rising cost of childcare, increased medical costs, the introducing comprehensive sex education, and navigating education during the pandemic. Laws preventing teens from obtaining healthcare unless they can talk to a parent put their health and safety at risk. For teens who feel they cannot safely turn to their parents, government coercion doesn't change anything and going to courts jeopardizes their confidentiality, particularly in small communities. Roe vs. Wade was not about the moral implications of abortion. It was about safety, equal access, and the right to privacy. She urged the legislature to keep abortion safe and legal.

[2:38:49 PM](#)

JOHN SOMIN, representing self, Douglas, Alaska, said he is appalled that misinformation has overrun this democratic state and nation. The country has been having a battle with women's liberty for at least half a century. No one has the liberty to tell another person what their liberty is.

[2:42:03 PM](#)

PAMELA SAMASH, representing self, Nenana, Alaska, said that she is a child of a teenager who everyone told to get an abortion. No one should have the right to terminate her. The Supreme Court should never have had the authority to even claim that this process was legal. She has a purpose and is as important as everyone else, even though she was inside a 15-year-old girl. She is precious, regardless of whether she is poor or rich. Years ago she was involved in the ballot for parent notification. Alaskans showed they wanted this, but their voices were silenced and their rights as citizens stolen from them.

[2:44:06 PM](#)

CYNTHIA DUCEY, representing self, Anchorage, Alaska, said that abortion in Alaska has been legal but it was not passed by the legislature but through administration regulation and imposed on the people by bureaucrats. Attempts to restrict abortion have been defeated by judges. In 2001, the court created the artifice of a constitutionally-protected right to reproductive freedom. This is not found anywhere in the U.S. or Alaska Constitution. Planned Parenthood's main profit is from the abortion industry. There is no constitutional right to reproductive freedom, but judges have interpreted the Alaska Constitution's right to privacy protects abortion, but this is not what the constitutional framers intended and not what citizens wanted. In polls taken since then show the tides are shifting and Americans want restrictions on abortion. Babies are viable at 21 weeks. She said let the people decide and not judges and bureaucrats.

2:46:58 PM

THERESA SYREM, representing self, Anchorage, Alaska, said that Alaska will watch how both sides of the aisle respond. SJR 4 only codifies what should be acknowledged by the Supreme Court, the manifest need for a clause in the Alaska constitution. That is all it does. All legislators owe the people that right of government of, by, and for the people. Those who do not support the legislation do not give people a voice, especially the unborn constituents. Pro-life legislators have long avoided responsibility for their failure to stand up for basic rights, to have a constitution that judges will be forced to acknowledge. She asked who will stand up for constituents and who will not.

2:50:12 PM

TRACI SUNDBERG, representing self, Wasilla, Alaska, said that many great things have been brought up today. As a parent of four, there is more than enough sex education and funding for it out there. She doesn't necessarily agree with the testimony that most abortions are for low-income people. As a parent, she would want to know. For SJR 4, it is important that the voters' vote counts.

2:51:29 PM

CAROL CARMAN, representing self, Palmer, Alaska, said that she was stunned when the legislature passed and the governor signed a bill outlawing state-funded abortions just for the judiciary to take the opposite stand, citing the state constitution as the reason. The state constitution says that government is of, by, and for the people. Adults in the state should have the right to decide a matter of life and death rather than the courts telling

people that they do not have the right to choose laws that reflect their community standards. Nothing in the constitution protects the murder of unborn babies. This resolution should take care of judges legislating from the bench on this issue. Life, liberty, and the pursuit of happiness is a well-known phrase in the Declaration of Independence. The Declaration says all humans have inalienable rights given to them by their creator, which governments are created to protect. The judiciary is overstepping its bounds in ways that cannot be backed up by law or the constitution. Right to privacy does not mean right to murder. If judges want equal protection, they would outlaw abortion. People's right to control their bodies ends where another individual's body begins. This resolution gives citizens of the state the opportunity to vote for bills that reflect their community standards.

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STEPHANIE TAYLOR, representing self, Anchorage, Alaska, said prolife Alaskans have worked to get laws passed to protect unborn lives. At every turn Alaskan courts have reversed these efforts. The courts have not remained neutral on the issue of abortion. The people of Alaska have made it clear by their votes and efforts that they support the protection of unborn life. Reasonable regulation of abortion is in the best interests of women and unborn babies. Plenty of legal protections are in place to protect women's privacy and young Alaskans. The fact that abortion is legal does not make it right. It is time for Alaska to move forward and enshrine protection of human life in its constitution.

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LISA GENTEMANN, representing self, Eagle River, Alaska, said Alaska must defend, protect, and speak up for the safety and the rights of the unborn. Even before the Constitution was written, the Declaration of Independence said all were given inalienable right to life by their creator. Government must secure people's rights and the rights of the unborn. The judicial branch is not following the Declaration of Independence. People must declare judges unfit to rule in a free nation and remove them from power and institute officials who will defend the right of life. She has been a single parent. It is challenging. She is thankful to have her son and grandchildren. She urged legislators to support all life, especially the unborn.

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HILARY HUNTER, representing self, Petersburg, Alaska, said she advocates for victims of sexual assault and domestic violence

and is a survivor of both. Alaska in 2019 had four times the national average for sexual assault and the average age was 15. Fifteen-year-olds can get pregnant and quite often it can be by someone in the family. Requiring them to get permission and to find out what their rights are after having the experience of their bodies being taken away from them, to go through the experience of pregnancy, sounds like a recipe for mental health and suicide. If the state is prioritizing young Alaskans, the state needs to let them know that they are important and they deserve to be protected. Before the state takes away rights and protections, the state should make sure there is a system there to catch them. It takes over a year to convict someone with less than a 10 percent conviction rate.

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VICE CHAIR HUGHES said the bill has subsequent referrals to Judiciary and Finance, so there will be further opportunities for testimony.

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CANDY MILLER, representing self, Wasilla, Alaska, recalled hearing an Alaska Native woman supporting the defunding of abortion. As a woman of faith, the woman read from Proverbs. Ms. Miller understood that the people are the power. She does not want to be involved in any aspect of funding hands that shed innocent blood. SJR 4 does not deal with choice but deals with not using state money for abortion.

VICE CHAIR HUGHES said that she wants to hear from all, no matter what side they are. Written testimony can be sent to shss@akleg.gov.

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SHERRY EICHENLAUB, representing self, Wasilla, Alaska, said that children need permission slips for field trips, but they can have an abortion without parent knowledge. That is horrific. The judges need to listen to the Alaska people.

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VICE CHAIR HUGHES closed public testimony and held SJR 4 in committee.

SENATOR REINBOLD asked everyone waiting to please send written testimony.

[3:07:12 PM](#)

There being no further business to come before the committee, Vice Chair Hughes adjourned the Senate Health and Social Services Standing Committee meeting at 3:07 p.m.